IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

Mat.Appeal.No. 143 of 2004(E)

OP(HMA). NO.755/2003 OF FAMILY COURT,KOLLAM

APPELLANT/RESPONDENT

RAJASREE, AGED 28 YEARS,
D/O. SUKUMARI AMMA, RAMAKRISHNA VILASAM VEEDU,
NELLIMUKAL, KADAMPANAD VILLAGE,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.T.O.XAVIER

RESPONDENT: PETITIONER

SREEKUMAR, AGED 37 YEARS,
S/O. RAGHAVAN PILLAI, SASIVILASAM VEEDU,
MYNAGAPPALLY VILLAGE, KUNNATHOOR TALUK,
KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

I.A.NO.2684/2004 IN MAT.APPEAL NO.143/2004

DISMISSED

SD/- KURIAN JOSEPH, JUDGE

9/4/2007 SD/- K.T.SANKARAN, JUDGE

//TRUE COPY//

AHZ/

KURIAN JOSEPH & K.T. SANKARAN, JJ.

MAT.APPEAL NO. 143 OF 2004 E

Dated this the 9th day of April, 2007

JUDGMENT

Kurian Joseph, J.

This is an appeal filed against the order in O.P. (HMA) No.755 of 2003, on the file of the Family Court, Kollam. The Family Court, having regard to the facts and circumstances stated in the order, allowed the Original Petition filed by the respondent herein and granted a decree of divorce under Section 13 of the Hindu Marriage Act with effect from 2.7.2004. The appeal was admitted on 25.8.2004 and this Court passed an order in I.A.No.2684 of 2004, staying the operation of the order in O.P.(HMA) No.755 of 2003. Counsel on both sides represent before us that subsequent to the order the disputes between the parties have been settled and they have been residing together and hence the order under appeal can be set aside.

Accordingly, we allow the appeal and set aside the

order dated 2.7.2004 in O.P.(HMA) No.755 of 2003, on the file of the Family Court, Kollam.

(KURIAN JOSEPH)
Judge

(K.T.SANKARAN)
Judge

ahz/